

STATE OF CALIFORNIA  
THE RESOURCES AGENCY  
STATE WATER RESOURCES CONTROL BOARD  
DIVISION OF WATER RIGHTS

ORDER

APPLICATION 22736

PERMIT 15940

LICENSE 11181

ORDER ALLOWING CHANGE IN PURPOSE OF USE AND PLACE OF USE

WHEREAS:

1. License 11181 was issued to Walter I. Peddy and was filed with the County Recorder of Napa County on March 26, 1982.
2. A petition for change in purpose of use and place of use has been filed with the State Water Resources Control Board and said Board has determined that good cause for such change has been shown.
3. The Board has determined that the petitioned changes do not constitute the initiation of a new right nor operate to the injury of any other lawful user of water.

NOW, THEREFORE, IT IS ORDERED THAT:

1. The purposes of use under this license shall be as follows:

Irrigation, Stockwatering, Recreational, Fire Protection, and Frost Protection

2. The place of use under this license for irrigation shall be as follows:

.96 acres within SW $\frac{1}{4}$  of NW $\frac{1}{4}$  of Section 26, T9N, R5W, MDB&M  
2.53 acres within NE $\frac{1}{4}$  of NE $\frac{1}{4}$  of Section 27, T9N, R5W, MDB&M  
6.70 acres within NW $\frac{1}{4}$  of NE $\frac{1}{4}$  of Section 27, T9N, R5W, MDB&M  
23.15 acres within SW $\frac{1}{4}$  of NE $\frac{1}{4}$  of Section 27, T9N, R5W, MDB&M  
26.66 acres within SE $\frac{1}{4}$  of NE $\frac{1}{4}$  of Section 27, T9N, R5W, MDB&M  
1.01 acres within NE $\frac{1}{4}$  of SE $\frac{1}{4}$  of Section 27, T9N, R5W, MDB&M  
17.55 acres within NW $\frac{1}{4}$  of SE $\frac{1}{4}$  of Section 27, T9N, R5W, MDB&M  
1.89 acres within SW $\frac{1}{4}$  of SE $\frac{1}{4}$  of Section 27, T9N, R5W, MDB&M  
2.68 acres within NE $\frac{1}{4}$  of SW $\frac{1}{4}$  of Section 27, T9N, R5W, MDB&M  
.87 acres within SE $\frac{1}{4}$  of SW $\frac{1}{4}$  of Section 27, T9N, R5W, MDB&M  
84.00 acres total.

Dated: APRIL 14 1983

*L. D. Johnson*



STATE OF CALIFORNIA  
THE RESOURCES AGENCY  
STATE WATER RESOURCES CONTROL BOARD  
DIVISION OF WATER RIGHTS

## License for Diversion and Use of Water

APPLICATION 22736

PERMIT 15940

LICENSE 11181

**THIS IS TO CERTIFY, That**

WALTER L. PEDDY  
5270 CHILES POPE VALLEY ROAD,  
ST. HELENA, CALIFORNIA 94574

HAS *made proof as of* MAY 10, 1979 *(the date of inspection)*  
to the satisfaction of the State Water Resources Control Board of a right to the use of the water of  
AN UNNAMED STREAM IN NAPA COUNTY

*tributary to* BURTON CREEK THENCE MAXWELL CREEK THENCE POPE CREEK

for the purpose of IRRIGATION, STOCKWATERING, RECREATIONAL AND FIRE PROTECTION USES  
under Permit 15940 of the Board and that the right to the use of this water has been perfected  
in accordance with the laws of California, the Regulations of the Board and the permit terms; that the  
priority of this right dates from MARCH 22, 1967 and that the amount of water to which  
this right is entitled and hereby confirmed is limited to the amount actually beneficially used for the stated  
purposes and shall not exceed TWENTY (20) ACRE-Feet PER ANNUM, TO BE COLLECTED FROM  
OCTOBER 1 OF EACH YEAR TO MAY 1 OF THE SUCCEEDING YEAR. THE MAXIMUM WITHDRAWAL  
IN ANY ONE YEAR SHALL NOT EXCEED 20 ACRE-Feet.

THIS LICENSE DOES NOT AUTHORIZE COLLECTION OF WATER TO STORAGE OUTSIDE OF THE  
SPECIFIED SEASON TO OFFSET EVAPORATION AND SEEPAGE LOSSES OR FOR ANY OTHER PURPOSES

THE POINT OF DIVERSION OF SUCH WATER IS LOCATED:

SCHOOLHOUSE RESERVOIR - NORTH 11°37' WEST 3,691 FEET FROM MONUMENT C-5 OF RANCHO  
CATACULA, BEING WITHIN SW1/4 OF NE1/4 OF PROJECTED SECTION 27, T9N, R5W, MDB&M.

A DESCRIPTION OF LANDS OR THE PLACE WHERE  
SUCH WATER IS PUT TO BENEFICIAL USE IS AS FOLLOWS:

STOCKWATERING, RECREATIONAL AND FIRE PROTECTION USES AT SCHOOLHOUSE RESERVOIR  
WITHIN SW1/4 OF NE1/4 AND NW1/4 OF SE1/4 OF PROJECTED SECTION 27, T9N, R5W,  
MDB&M, AND IRRIGATION AS FOLLOWS:

8 ACRES WITHIN SW1/4 OF NE1/4 OF PROJECTED SECTION 27, T9N, R5W, MDB&M

6 ACRES WITHIN NW1/4 OF NE1/4 OF PROJECTED SECTION 27, T9N, R5W, MDB&M

LICENSEE SHALL INSTALL AND MAINTAIN AN OUTLET PIPE OF ADEQUATE CAPACITY IN HIS DAM AS NEAR AS PRACTICABLE TO THE BOTTOM OF THE NATURAL STREAM CHANNEL, OR PROVIDE OTHER MEANS SATISFACTORY TO THE STATE WATER RESOURCES CONTROL BOARD, IN ORDER THAT WATER ENTERING THE RESERVOIR WHICH IS NOT AUTHORIZED FOR APPROPRIATION UNDER THIS LICENSE MAY BE RELEASED.

LICENSEE IS HEREBY PUT ON NOTICE THAT THERE MAY BE YEARS WHEN WATER COLLECTED TO STORAGE UNDER THIS LICENSE WILL NOT BE WITHIN THE RESERVATION OF WATER ESTABLISHED FOR THE WATERSHED UPSTREAM FROM LAKE BERRYESSA IN DECISION D869. DURING SUCH YEARS, UNLESS REPLACEMENT WATER IS PROVIDED ON AN EXCHANGE BASIS, LICENSEE SHALL RELEASE WATER COLLECTED TO STORAGE UNDER THIS LICENSE DURING THE PRECEDING COLLECTION SEASON AT THE MAXIMUM PRACTICAL RATE TO FLOW INTO LAKE BERRYESSA.

*Licensee shall allow representatives of the Board and other parties, as may be authorized from time to time by the Board, reasonable access to project works to determine compliance with the terms of this license.*

*Pursuant to California Water Code Sections 100 and 275, all rights and privileges under this license, including method of diversion, method of use, and quantity of water diverted, are subject to the continuing authority of the State Water Resources Control Board in accordance with law and in the interest of the public welfare to prevent waste, unreasonable use, unreasonable method of use, or unreasonable method of diversion of said water.*

*This continuing authority of the Board may be exercised by imposing specific requirements over and above those contained in this license with a view to minimizing waste of water and to meeting the reasonable water requirements of licensee without unreasonable draft on the source. Licensee may be required to implement such programs as (1) reusing or reclaiming the water allocated; (2) using water reclaimed by another entity instead of all or part of the water allocated; (3) restricting diversions so as to eliminate agricultural tailwater or to reduce return flow; (4) suppressing evaporation losses from water surfaces; (5) controlling phreatophytic growth; and (6) installing, maintaining, and operating efficient water measuring devices to assure compliance with the quantity limitations of this license and to determine accurately water use as against reasonable water requirements for the authorized project. No action will be taken pursuant to this paragraph unless the Board determines, after notice to affected parties and opportunity for hearing, that such specific requirements are physically and financially feasible and are appropriate to the particular situation.*

*Reports shall be filed promptly by licensee on appropriate forms which will be provided for the purpose from time to time by the Board.*

*The right hereby confirmed to the diversion and use of water is restricted to the point or points of diversion herein specified and to the lands or place of use herein described.*

*This license is granted and licensee accepts all rights herein confirmed subject to the following provisions of the Water Code:*

Section 1625. Each license shall be in such form and contain such terms as may be prescribed by the Board.

Section 1626. All licenses shall be under the terms and conditions of this division (of the Water Code).

Section 1627. A license shall be effective for such time as the water actually appropriated under it is used for a useful and beneficial purpose in conformity with this division (of the Water Code) but no longer.

Section 1628. Every license shall include the enumeration of conditions therein which in substance shall include all of the provisions of this article and the statement that any appropriator of water to whom a license is issued takes the license subject to the conditions therein expressed.

Section 1629. Every licensee, if he accepts a license does so under the conditions precedent that no value whatsoever in excess of the actual amount paid to the State therefor shall at any time be assigned to or claimed for any license granted or issued under the provisions of this division (of the Water Code), or for any rights granted or acquired under the provisions of this division (of the Water Code), in respect to the regulation by any competent public authority of the services or the price of the services to be rendered by any licensee or by the holder of any rights granted or acquired under the provisions of this division (of the Water Code) or in respect to any valuation for purposes of sale to or purchase, whether through condemnation proceedings or otherwise, by the State or any city, city and county, municipal water district, irrigation district, lighting district, or any political subdivision of the State, of the rights and property of any licensee, or the possessor of any rights granted, issued, or acquired under the provisions of this division (of the Water Code).

Section 1630. At any time after the expiration of twenty years after the granting of a license, the State or any city, city and county, municipal water district, irrigation district, lighting district, or any political subdivision of the State shall have the right to purchase the works and property occupied and used under the license and the works built or constructed for the enjoyment of the rights granted under the license.

Section 1631. In the event that the State, or any city, city and county, municipal water district, irrigation district, lighting district, or political subdivision of the State so desiring to purchase and the owner of the works and property cannot agree upon the purchase price, the price shall be determined in such manner as is now or may hereafter be provided by law for